

## AMENDMENTS

1972—Subsec. (h). Pub. L. 92-359 inserted provision that new automobiles delivered to ultimate purchasers within the United States and other enumerated areas shall be deemed to have been distributed in commerce.

## EFFECTIVE DATE

Section 5 of Pub. L. 85-506 provided that: "This Act [enacting this chapter] shall take effect on the first day of October 1958 or on the first day of the introduction of any new model of automobile in any line of automobile beginning after the date of enactment of this Act [July 7, 1958], whichever date shall last occur."

## SHORT TITLE

Section 1 of Pub. L. 85-506 provided: "This Act [enacting this chapter] may be cited as the 'Automobile Information Disclosure Act'."

## TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

**§ 1232. Label and entry requirements**

Every manufacturer of new automobiles distributed in commerce shall, prior to the delivery of any new automobile to any dealer, or at or prior to the introduction date of new models delivered to a dealer prior to such introduction date, securely affix to the windshield, or side window of such automobile a label on which such manufacturer shall endorse clearly, distinctly and legibly true and correct entries disclosing the following information concerning such automobile—

- (a) the make, model, and serial or identification number or numbers;
- (b) the final assembly point;
- (c) the name, and the location of the place of business, of the dealer to whom it is to be delivered;
- (d) the name of the city or town at which it is to be delivered to such dealer;
- (e) the method of transportation used in making delivery of such automobile, if driven or towed from final assembly point to place of delivery; and
- (f) the following information:
  - (1) the retail price of such automobile suggested by the manufacturer;
  - (2) the retail delivered price suggested by the manufacturer for each accessory or item of optional equipment, physically attached to such automobile at the time of its delivery to such dealer, which is not included within the price of such automobile as stated pursuant to paragraph (1);
  - (3) the amount charged, if any, to such dealer for the transportation of such automobile to the location at which it is delivered to such dealer;
  - (4) the total of the amounts specified pursuant to paragraphs (1), (2), and (3).

(Pub. L. 85-506, § 3, July 7, 1958, 72 Stat. 326.)

## CROSS REFERENCES

Failure to affix label, fine for, see section 1233 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1233 of this title; title 49 sections 32304, 32908.

**§ 1232a. Repealed. Pub. L. 92-178, title IV, § 401(g)(7)(A), Dec. 10, 1971, 85 Stat. 534**

Section, Pub. L. 91-614, title III, § 304, Dec. 31, 1970, 84 Stat. 1845, related to Federal manufacturers excise tax on labels and provided for violations and penalties. It was not a part of the Automobile Information Disclosure Act, which comprises this chapter generally.

## EFFECTIVE DATE OF REPEAL

Section 401(g)(7)(B) of Pub. L. 92-178 provided that: "Subparagraph (A) [repealing this section] shall apply to acts (or failures to act) after the date of the enactment of this Act [Dec. 10, 1971]."

**§ 1233. Violations and penalties****(a) Failure to affix required label**

Any manufacturer of automobiles distributed in commerce who willfully fails to affix to any new automobile manufactured or imported by him the label required by section 1232 of this title shall be fined not more than \$1,000. Such failure with respect to each automobile shall constitute a separate offense.

**(b) Failure to endorse required label**

Any manufacturer of automobiles distributed in commerce who willfully fails to endorse clearly, distinctly and legibly any label as required by section 1232 of this title, or who makes a false endorsement of any such label, shall be fined not more than \$1,000. Such failure or false endorsement with respect to each automobile shall constitute a separate offense.

**(c) Removal, alteration, or illegibility of required label**

Any person who willfully removes, alters, or renders illegible any label affixed to a new automobile pursuant to section 1232 of this title, or any endorsement thereon, prior to the time that such automobile is delivered to the actual custody and possession of the ultimate purchaser of such new automobile, except where the manufacturer relabels the automobile in the event the same is rerouted, repurchased, or reacquired by the manufacturer of such automobile, shall be fined not more than \$1,000, or imprisoned not more than one year, or both. Such removal, alteration, or rendering illegible with respect to each automobile shall constitute a separate offense.

(Pub. L. 85-506, § 4, July 7, 1958, 72 Stat. 326.)

**CHAPTER 29—MANUFACTURE, TRANSPORTATION, OR DISTRIBUTION OF SWITCH-BLADE KNIVES**

## Sec.

- 1241. Definitions.
- 1242. Introduction, manufacture for introduction, transportation or distribution in interstate commerce; penalty.
- 1243. Manufacture, sale, or possession within specific jurisdictions; penalty.
- 1244. Exceptions.
- 1245. Ballistic knives.
  - (a) Prohibition and penalties for possession, manufacture, sale, or importation.
  - (b) Prohibition and penalties for possession or use during commission of Federal crime of violence.
  - (c) Exceptions.
  - (d) "Ballistic knife" defined.

**§ 1241. Definitions**

As used in this chapter—

(a) The term “interstate commerce” means commerce between any State, Territory, possession of the United States, or the District of Columbia, and any place outside thereof.

(b) The term “switchblade knife” means any knife having a blade which opens automatically—

- (1) by hand pressure applied to a button or other device in the handle of the knife, or
- (2) by operation of inertia, gravity, or both.

(Pub. L. 85-623, § 1, Aug. 12, 1958, 72 Stat. 562.)

**REFERENCES IN TEXT**

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 85-623, which enacted sections 1241 to 1244 of this title and amended section 1716 of Title 18, Crimes and Criminal Procedure.

**EFFECTIVE DATE**

Section 6 of Pub. L. 85-623 provided that: “This Act [enacting this chapter and amending section 1716 of Title 18, Crimes and Criminal Procedure] shall take effect on the sixtieth day after the date of its enactment [Aug. 12, 1958].”

**SHORT TITLE OF 1986 AMENDMENT**

Pub. L. 99-570, title X, § 10001, Oct. 27, 1986, 100 Stat. 3207-166, provided that: “This title [enacting section 1245 of this title, amending section 1716 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as a note under section 1245 of this title] may be cited as the ‘Ballistic Knife Prohibition Act of 1986.’”

**§ 1242. Introduction, manufacture for introduction, transportation or distribution in interstate commerce; penalty**

Whoever knowingly introduces, or manufactures for introduction, into interstate commerce, or transports or distributes in interstate commerce, any switchblade knife, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(Pub. L. 85-623, § 2, Aug. 12, 1958, 72 Stat. 562.)

**CROSS REFERENCES**

Exceptions from application of section, see section 1244 of this title.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 1244 of this title.

**§ 1243. Manufacture, sale, or possession within specific jurisdictions; penalty**

Whoever, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), manufactures, sells, or possesses any switchblade knife, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(Pub. L. 85-623, § 3, Aug. 12, 1958, 72 Stat. 562.)

**CROSS REFERENCES**

Exceptions from application of section, see section 1244 of this title.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 1244 of this title.

**§ 1244. Exceptions**

Sections 1242 and 1243 of this title shall not apply to—

(1) any common carrier or contract carrier, with respect to any switchblade knife shipped, transported, or delivered for shipment in interstate commerce in the ordinary course of business;

(2) the manufacture, sale, transportation, distribution, possession, or introduction into interstate commerce, of switchblade knives pursuant to contract with the Armed Forces;

(3) the Armed Forces or any member or employee thereof acting in the performance of his duty; or

(4) the possession, and transportation upon his person, of any switchblade knife with a blade three inches or less in length by any individual who has only one arm.

(Pub. L. 85-623, § 4, Aug. 12, 1958, 72 Stat. 562.)

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 1245 of this title.

**§ 1245. Ballistic knives****(a) Prohibition and penalties for possession, manufacture, sale, or importation**

Whoever in or affecting interstate commerce, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), knowingly possesses, manufactures, sells, or imports a ballistic knife shall be fined as provided in title 18, or imprisoned not more than ten years, or both.

**(b) Prohibition and penalties for possession or use during commission of Federal crime of violence**

Whoever possesses or uses a ballistic knife in the commission of a Federal crime of violence shall be fined as provided in title 18, or imprisoned not less than five years and not more than ten years, or both.

**(c) Exceptions**

The exceptions provided in paragraphs (1), (2), and (3) of section 1244 of this title with respect to switchblade knives shall apply to ballistic knives under subsection (a) of this section.

**(d) “Ballistic knife” defined**

As used in this section, the term “ballistic knife” means a knife with a detachable blade that is propelled by a spring-operated mechanism.

(Pub. L. 85-623, § 7, as added Pub. L. 99-570, title X, § 10002, Oct. 27, 1986, 100 Stat. 3207-167; amended Pub. L. 100-690, title VI, § 6472, Nov. 18, 1988, 102 Stat. 4379.)

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1988—Subsec. (a). Pub. L. 100-690, § 6472(1), substituted “in or affecting interstate commerce, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), knowingly possesses, manufactures, sells, or imports” for

“knowingly possesses, manufactures, sells, or imports”.

Subsec. (b). Pub. L. 100-690, § 6472(2), struck out “or State” after “Federal”.

#### EFFECTIVE DATE

Section 10004 of Pub. L. 99-570 provided that: “The amendments made by this title [enacting this section, amending section 1716 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as a note under section 1241 of this title] shall take effect 30 days after the date of enactment of this title [Oct. 27, 1986].”

### CHAPTER 30—HAZARDOUS SUBSTANCES

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1261. Definitions.  
1262. Declaration of hazardous substances.
- (a) Declaration of hazardous substances by regulation; review.
  - (b) Reasonable variations or additional label requirements.
  - (c) Exemption from requirements by regulation.
  - (d) Exemption from requirements of this chapter of substances or containers adequately regulated by other provisions of law.
  - (e) Regulation of toys or articles intended for use by children.
  - (f) Commencement of proceeding for promulgation of regulation; notice.
  - (g) Publication of standard; termination of proceeding for promulgation of regulation; monitoring of compliance.
  - (h) Publication of proposed rule together with preliminary regulatory analysis.
  - (i) Publication of final regulatory analysis with regulation; required findings; judicial review.
  - (j) Petition to initiate rulemaking.
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  - (b) Exceptions.
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  - (d) Civil action for injunction.
1265. Seizures.
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- (a) Authority.
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- (a) Delivery of samples to Commission; examination; refusal of admission.
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  - (e) Hearing; representative of class.
  - (f) “Manufacturer” defined.
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1275. Toxicological Advisory Board.
- (a) Establishment; functions; review and recommendations.
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- (a) Transmission to Congress.
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1277. Labeling of art materials.
- (a) Regulation status of standard D-4236 of American Society for Testing and Materials.
  - (b) Requirements applicable to standard D-4236.
  - (c) Revisions incorporated into standard D-4236; notice and hearing; amendment; opportunity for comment; transcript of proceedings.
  - (d) Guidelines for determining chronically hazardous art materials; issuance; public hearing; scope of criteria; review; amendment.
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#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1276, 1460, 2052, 2055, 2079 of this title.

#### § 1261. Definitions

For the purposes of this chapter—

(a) The term “territory” means any territory or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico but excluding the Canal Zone.

(b) The term “interstate commerce” means (1) commerce between any State or territory and